

PATENT
ATTORNEY DOCKET NO: 512.02

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 1761

Mark DeRaud and Adam Gambel) Examiner: Unknown

Application No.: 09/954,491

Filing Date: 11 September 2001

For: **A METHOD OF CONFIGURING A
SLICE OF PIZZA-TYPE PIE AND
AN APPARATUS FOR PREPARING
A PIZZA TYPE PIE**

Box IDS
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on December 7, 2001, in an envelope bearing "Express Mail Post Office to Addressee" Mailing Label Number EL902870667US to Box IDS, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

By: Tomika Thomas

Tomika Thomas

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached Form PTO-1449) of which they are aware pursuant to their duty of disclosure in accordance with 37 C.F.R. § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith.
- (b) ☒ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491. 37 C.F.R. § 1.97(b)(1) and (2).
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits. 37 C.F.R. § 1.97(b)(3).
- (d) ☐ as far as is known to the undersigned, is filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. 37 C.F.R. § 1.97(b)(4).
- (e) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of any of a final rejection, a notice of allowance, or an action that otherwise closes prosecution in the application, whichever

occurs first, and is accompanied by either the fee set forth in 37 C.F.R. § 1.17(p) or a certification as specified in 37 C.F.R. § 1.97(e), as checked below: 37 C.F.R. § 1.97(c).

- (f) ☐ is filed after the mailing date of any of a final rejection, a notice of allowance, or an action that otherwise closes prosecution in the application, whichever occurs first, and is accompanied by the fee set forth in 37 C.F.R. § 1.17(i)(1) **and** a certification as specified in 37 C.F.R. § 1.97(e), as checked below: 37 C.F.R. § 1.97(d). **This document is to be considered as a petition requesting consideration of the information disclosure statement.**

[If either of boxes (e) or (f) are checked above, the following "certification" under 37 C.F.R. § 1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith:

☒ each ☐ none ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO form 1449 are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s) [Required]
- ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

Pursuant to 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made. Furthermore, pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in this statement is, or is considered to be, material to patentability, as defined in 1.56(b). The filing of this Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: December 7, 2001

By: 

Samuel S. Lee
Reg. No. 41,938

Please send all correspondence to:

Dergosits & Noah LLP
Four Embarcadero Center, Suite 1150
San Francisco, California 94111
(415) 705-6377



FORM PTO-1449 (Modified) (Rev. 7-80)	U.S. Dept. of Commerce Patent and Trademark Office	Atty. Docket No. 512.02	Appi. No. 09 954,491
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		Applicant DeRaud et al	
		Filing Date September 11, 2001	

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U.S. PATENT DOCUMENTS

Examiner initials		Document Number	Date	Name	Class	Subclass	Filing Date
	AA	348 839	09 1886	Grosz			
	AB	628 449	07 1899	Carr			
	AC	731 417	06 1903	Thorne			
	AD	850,022	04/1907	Lewis			
	AE	1,290,186	01/1919	Held			
	AF	1,371,195	03/1921	Boyce			
	AG	1,613,223	01/1927	Davis			
	AH	1,647,186	11/1927	Miles et al.			

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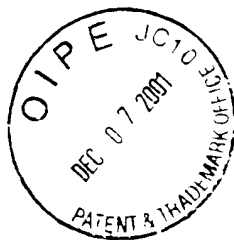
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

BR	Author Unknown, "Celeb photos."-Pizzahut web site, http://www.pizzahut.com/Menu/phmenu/BNY/celeb_photos.htm (first publication date unknown, printed on Feb. 9, 2001)
BS	John Spaeth, "A Special Investigation: Why West Coast Pizza Tastes Like Crap," pp. 1 and 2, http://www.wfmu.org/LCD/22/sucky-pizza.html (1999)
BT	Brad Appleton, "Pizza Inversion-a Patter for Efficient Resource Consumption," pp. 1-5, http://www.enterart.com/~bradapp/docs/pizza-inv.html (1999)

Examiner	Date Considered
* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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	AI	2,081,078	05 1937	Watson			
	AJ	2,302,350	11 1942	Roth			
	AK	2,327,988	08/1943	Bassett			
	AL	2,509,035	05 1950	Corbett			
	AM	2,668,767	02 1954	Lowe			
	AN	2,784,103	03/1957	Paxton			
	AO	3,060,838	10/1962	Priore			
	AP	3,143,424	08/1964	Wilson			
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		Document Number	Filing Date	Country	Class	Subclass	Translation Yes No
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)							
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Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	AQ	3,669,007	06/1972	Pulici			
	AR	4,084,493	04/1978	Quintana			
	AS	4,313,961	02/1982	Tobia			
	AT	4,400,404	08/1983	Persi			
	AU	4,447,457	05/1984	Bernal			
	AV	4,483,242	11/1984	Goodman et al.			
	AW	4,516,487	05/1985	Madison et al.			
	AX	4,520,035	05/1985	Lamonica			

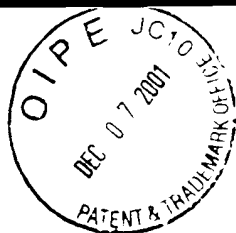
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FORM PTO-1449 (Modified) (Rev. 7-86)	U.S. Dept. of Commerce Patent and Trademark Office	Atty. Docket No. 512.02	Applicant DeRaud et al
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	Filing Date September 11, 2001

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Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	AY	4,608,919	09/1986	Prows et al			
	AZ	4,661,361	04/1987	Mongiello et al			
	BA	4,753,813	06/1988	Saadia			
	BB	4,913,043	04/1990	Cheung			
	BC	4,938,981	07/1990	Hee			
	BD	4,961,948	10/1990	Hee			
	BE	5,074,777	12/1991	Gamer			
	BF	5,158,167	10/1992	Pahl			

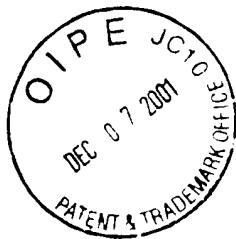
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	BG	5,194,273	03/1993	de Bruijne et al.			
	BH	5,281,427	01/1994	Rahim			
	BI	5,321,633	06/1994	Kataoka et al.			
	BJ	Des. 354,159	01/1995	Martin			
	BK	5,445,840	08/1995	Wadell			
	BL	5,585,027	12/1996	Young			
	BM	Des. 393,735	04/1998	Paulucci			
	BN	5,780,082	07/1998	Rebeaud			

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	BO	6,004,596	12/1999	Kretchman et al.			
	BP	6,156,356	12/2000	King et al.			10/8/1996
	BQ	6,168,812	01/2001	Paulucci			04/29/1997
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